

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

GABRIEL ARMENTA,

Plaintiff,

No. 2:24-cv-2075-TLN-CKD P

v.

ROBERT FRANK,

Defendant.

**ORDER**

Plaintiff Fabriel Armenta (“Plaintiff”), a state prisoner proceeding pro se, filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On May 7, 2025, the magistrate judge filed findings and recommendations which were served on Plaintiff and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. (ECF No. 9.) This deadline has passed, and no objections have been filed. Although it appears from the docket that the copy of the findings and recommendations sent to Plaintiff was returned, Plaintiff was properly served. It is the Plaintiff’s responsibility to keep the court apprised of his current address at all times. Pursuant to Local Rule 182(f), service of documents at the record address of the party is fully effective.

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1           The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602  
2 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo.  
3 *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) ("[D]eterminations of law by the  
4 magistrate judge are reviewed de novo by both the district court and [the appellate] court[.]").  
5 Having reviewed the file, the Court finds the findings and recommendations to be supported by  
6 the record and by the proper analysis.

7           Accordingly, IT IS HEREBY ORDERED that:

- 8           1. The findings and recommendations, (ECF No. 9), are ADOPTED in full;  
9           2. This action is DISMISSED without prejudice for failure to prosecute. *See E.D. Cal. L. R.*  
10           110; Fed. R. Civ. P. 41(b).  
11           3. The Clerk of the Court is directed to CLOSE this case.

12 Date: September 9, 2025

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16 TROY L. NUNLEY  
17 CHIEF UNITED STATES DISTRICT JUDGE  
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